

Commercial Division Certification

[Excerpt from Rules and Practices for cases assigned to the Commercial Division, Supreme Court, Erie County]

The definition of a "commercial case," as determined by the Commercial Division of Supreme Court, is as follows:

All business and commercial disputes in which the amount at issue exceeds \$25,000,* exclusive of punitive damages, costs, and attorney fees; and exclusive of any non-commercial claims, non-commercial cross-claims, or non-commercial counterclaims.

If a commercial case does not meet the monetary threshold but may be especially suited to resolution in the Commercial Division, a motion may be made to the presiding Judge of the Division, on notice to opposing counsel, to waive said monetary threshold.

* It should be noted that the dollar amount at issue to qualify a case as Commercial may be changed from time to time in order to adjust the workload of the Court.

PLEASE CHECK APPROPRIATE BOX AND RETURN WITH RJJ

- ☐ I hereby certify that I have read the Rules of the Supreme Court, Commercial Division, Erie County and have determined that in the matter of _____, Index No. _____ the amount in controversy is \$25,000 or more and otherwise **qualifies** for assignment to the Commercial Division.
- ☐ I hereby certify that I have read the Rules of the Supreme Court, Commercial Division, Erie County and have determined that in the matter of _____, Index No. _____ the amount in controversy is \$25,000 or more, but that the matter **does not qualify** for assignment to the Commercial Division (e.g., insurance coverage disputes, including no-fault matters).
- ☐ I hereby certify that I have read the Rules of the Supreme Court, Commercial Division, Erie County and have determined that in the matter of _____, Index No. _____ the amount in controversy is below \$25,000 and **does not otherwise qualify** for assignment to the Commercial Division.
- ☐ I hereby certify that I have read the Rules of the Commercial Division of Erie County Supreme Court and although the matter of _____, Index No. _____ does not meet the \$25,000 monetary threshold for assignment to the Commercial Division, I have requested and been granted a **waiver** by the Court of the monetary threshold requirement.
- ☐ I hereby certify that I have read the Guidelines for Assignment of **Commercial Tax Certiorari** proceedings to Commercial Division of Erie County Supreme Court and this commercial tax certiorari proceeding should be assigned to the Commercial Division. The equalized full valuation of the subject real property is \$1,000,000 or more.

Attorney Signature: _____

Print Name: _____

Attorney for : _____